

IDAHO FALLS PLANNING COMMISSION

P.O. BOX 50220
IDAHO FALLS, IDAHO 83405-0220

January 8, 2013

7:00 p.m.

Planning Division
Council Chambers

MEMBERS PRESENT: Commissioners Natalie Black, Jake Cordova, Donna Cosgrove, Brent Dixon, George Morrison, Leslie Polson, George Swaney, Dee Whittier, and Margaret Wimborne.

MEMBERS ABSENT: Doug Branson, David Hodder, and Kurt Karst.

ALSO PRESENT: Assistant Director Brad Cramer, Recording Secretary Debra Petty, and twenty interested citizens,.

CALL TO ORDER: Chair Wimborne called the meeting to order at 7:05 p.m. and reviewed the hearing procedures.

MINUTES: Commissioner Polson moved to approve the minutes of December 4, 2012. Motion seconded by Cordova. The motion passed unanimously.

PUBLIC HEARINGS:

Request to Rezone from R-1 to PT-2, Land Use Change in PT-2 Zone, and Final Plat:

Juniper Hills Plaza: Cramer read into the record a letter from William Rogers, 1308 Laurel Drive, expressing his opposition to the rezoning request from R-1 to PT-2 due to concerns about traffic on Jeppson Avenue and Azelea Drive. Cramer disclosed he had asked David Hodder, a member of the Commission and electrical engineer, about the lighting plan.

Cramer than reviewed the staff report and accompanying slides, a part of the record. The applicant is proposing three phases in the development: the first phase will be a specialty grocery. The phases are noted on the site plan. Staff is recommending approval of the rezoning request to PT-2. Under the land use change, staff is recommending the proposed LED lighting be designed as amber lighting, a masonry wall be constructed on the southern property line of the Jeppson entrance, additional evergreen trees be planted in the storm water area, and pedestrian crosswalks be provided in the parking area. As to the final plat, staff is requesting a right-hand turning lane be provided at the access from 17th Street to the parking area and a cross-access agreement be

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“PLANNING FOR A BETTER IDAHO FALLS”

AUTHORIZED AND ESTABLISHED IN ACCORDANCE WITH 1935 IDAHO SESSION LAWS (EXTRAORDINARY SESSION) CHAPTER 51, BY
RESOLUTION OF THE HON. MAYOR AND CITY COUNCIL OF IDAHO FALLS, IDAHO

recorded on the plat.

Cosgrove asked if 2,700 ADT will be generated by the project. Cramer answered he understood, at full build out, the project will generate an additional 2,700 ADT.

Dixon asked about the extent of the T-1 zone. Cramer explained the T-1 zone covers the 200 feet of the northern portion of the Andrews Well Drilling site and begins about 115 feet west of Jeppson Drive. Dixon asked why only the R-1 zone portion was being repealed, not the R-3A zone. Cramer explained single-family homes must have access to a public street. In addition, the R-3A zone with a PT-2 zone is a pattern similar to other properties along 17th Street. Dixon asked if it makes more sense to remove all underlying zones. Cramer responded the Commission could remove both underlying zones. Dixon asked about the length and height of the masonry wall. Cramer responded the length is the entire length of the residential lot and height is usually six feet. Cramer told Dixon painted crosswalks are found at Lowe's: it is a requirement of the PT zone. Dixon asked if there were examples of a similar sized building to share with those attending. Cramer responded Walgreen's buildings are 15,000 square feet in size. Polson clarified, under the traffic impact study, a traffic signal is not recommended at Jeppson Avenue as it did not meet the criteria. Cramer confirmed both the city engineer and former city engineer reviewed the traffic study prior to the commission meeting. Cosgrove expressed her concern traffic generated by this project will travel through the neighborhood. Cramer confirmed the City of Idaho Falls requires a traffic study to determine impacts when the traffic generated is anticipated to exceed 200 trips during the PM peak hour.

Wimborne opened the public hearing.

David Grooms, Vega Architecture, 1335 Elati Street, Denver, Colorado. Mr. Grooms is representing Leadership Circle, LLC, the applicant. Grooms presented his own slides which are part of the record. The site is on the southwest corner of 17th Street and Jeppson Avenue. The applicant is requesting rezoning on the R-1 parcel within the site only. There are three main uses proposed: a specialty grocery in the northeast corner, a restaurant pad, and a multi-tenant retail building. Only the grocery tenant has been identified at this time: it will be housed in a 15,000 square foot building which is the size of a Walgreen's. A large landscaped area, 30% of the site, is being provided near the existing residential development. The applicant is willing to install more evergreen trees if their landscape architect agrees. It is the intent of the applicant to cross-stripe the pedestrian cross-walks. The applicant is proposing to install a double-sided cedar fence with stone pilasters, one which is attractive on both sides of the fence, along the residential portion of the site, including the church property. The applicant proposes to retain the conifer trees, i.e., arborvitae adjacent to the home south of the entry from Jeppson Drive but is open to installing a fence on this property line as well to provide additional screening. The fence could be a masonry wall or cedar and stone fence. In the long term, the applicant recognizes the need to replace the arborvitae. The applicant will limit the hours of the businesses from 6:00 a.m. to 11:00 p.m. There will be some loading on the south side of the grocery. Typical deliveries for the grocery are about one delivery per week by a semi-truck. The rest of the deliveries are by UPS, FedEx, or small box trucks. The store does not have a typical loading dock: it is an

overhead door and electric powered forklift. The existing R-1 zoning is handicapped: it has no frontage on a public street. While 17th Street receives a great deal of traffic, this portion is underutilized. The lighting fixtures will be full dark-sky compliant with full cut-off. The photometrics plan shows 0.0 foot candles just outside the property line on the residences.

Cosgrove asked about the cross-access agreement and amber light. Grooms stated the applicant has no problems with the cross-access agreement. As to the amber light, the applicant prefers to stay with white light. It makes the customers feel more secure since the amber light obscures many colors. The shielding goes all the way around the bulb. When one is approximately thirty feet from the light, one should not be able to see the light. Separate security lights are not proposed on the building but, if lights have to be turned off at 11:00 p.m., amber lights at about a height of eight feet will be proposed. The poles for the parking lot will be twenty feet in height in comparison to thirty to forty foot poles at a Lowe's. Polson asked if moving the 17th access drive to the east is acceptable. Grooms replied moving the access one drive aisle to the east is acceptable, especially if it designed to align with an existing drive to the north. The applicant does need more information as to the width of the turning lane. Poulson asked about the inconsistency between the site and landscape plans. Grooms responded the site plan will be the controlling plan. Dixon asked if the 17th Street drive will accommodate three lanes. Grooms responded there are presently two lanes: the applicant can redesign the width of the drive to accommodate three lanes.

Stu Eddins, 1185 Azalea Drive, Idaho Falls. Mr. Eddins said his home was in the southwest corner adjacent to Phase 3. Mr. Eddins expressed concerns about the traffic and submitted photos of the traffic on Azalea Drive to be included in the record. He finds it difficult to turn left when entering 17th Street and often drives through the neighborhood to reach a signal. Azalea Drive is the easiest way to get to a signal. A right hand turn lane onto Jeppson may only bring more traffic onto Jeppson and the neighborhood: a right hand turn on Jeppson itself will only address traffic leaving Jeppson. The issue is whether the drive from the development onto Jeppson will be designed to direct traffic north and not through the neighborhood. While the developer has proposed protections for those living next to Phase 1, the question is whether there are any commitments for protection for those living next to the later phases. Will the landscaping end to the east of the last two homes? Will there be a vacant lot only next to the two houses in the southwest corner? With access from 17th Street, teenagers or others may congregate after hours in the vacant property. Hopefully any fence will be eight feet in height, not six. Dixon confirmed the extent of landscaping in Phase 1 ended east of Eddins' home.

Toni Kenny, 1856 Jeppson, Idaho Falls. Ms. Kenney is concerned with having retail uses to the west of her backyard. Her home is a split level and is higher than the proposed fence. She is concerned about her view, especially the twenty foot lighting. She asked if the trees are so close to her west property line that they will block sunlight entering her yard. There are little kids living on the street. How many trucks and vehicles will be entering the development through

Jeppson? To eliminate the number of vehicles on Jeppson, will the drive onto Jeppson be limited to a "truck only" entrance and exit? Can a semi-truck navigate Jeppson?

Rita Watson, 1812 Jeppson, Idaho Falls. Ms. Watson is the second home on Jeppson. Her concern is the traffic. It is very difficult to enter 17th Street from Jeppson. Is there a proposal to lessen the effect on the neighborhood as was done with the design on June Avenue for Lowe's? A fence was installed on June to protect the neighborhood.

The developer has done a good job of trying not to create impacts on the neighborhood, and cleaning up the property will increase property values. The issue is the traffic generated by this development entering Jeppson. Traffic needs to be directed away from Azalea Drive. Ricks Street to St. Clair Road is a better alternative. Cosgrove asked Watson if she was recommending the access to Jeppson be eliminated. Watson said yes.

Howard Arthur, 361 Cliff Street, Idaho Falls. Mr. Howard said the access from the parking lot onto Jeppson Street will be a nuisance to the condominiums on the east side of Jeppson since the lights of the exiting vehicles will shine onto the condominiums. There is also a proposal for the existing arborvitae to remain. It will be unusual if the existing trees remain. The city forester and the applicant's landscape architect need to document the existing trees.

David Grooms, Vega Architecture, 1335 Elati Street, Denver, Colorado. On the tree issue, it is difficult to guarantee the survival of the arborvitae. There may be other solutions, e.g., if 25% of the trees die, the developer will construct a masonry wall to replace the arborvitae. Grooms clarified the hours of the grocery are approximately 8:00 a.m. to 8:00 p.m. These hours will reduce the traffic. At the neighborhood meeting, the neighborhood did not want traffic turning right. The developer also does not want traffic turning right onto Jeppson and is willing to install a sign saying "no right turns." Swaney asked if the fence will be installed all around the perimeter of the property when Phase 1 is constructed and does the developer have a problem with an eight foot fence. Grooms replied the fence will be installed around the perimeter of the property and an eight foot fence is acceptable to the developer.

Whittier asked about the state or condition of the undeveloped property on the site. Grooms said the intent was to leave the vacant area as is. The one exception is the existing turn-around space. The civil engineer is proposing a gravel turn-around area. In response to a question from Cosgrove, Grooms confirmed the catchment area will be constructed in Phase I and the landscaping will be installed in the southeast corner around the catchment area. Cosgrove asked how trucks will enter and exit the site, now and with all phases. Grooms replied the current plan is for trucks to enter through Jeppson and unload to the south of grocery. For future buildings, the trucks will cross the site and load to the south of all buildings and exit onto Jeppson. Landscaping is proposed to the west and south of the buildings in later phases.

Dixon asked if staff had any idea about the traffic on Craig Avenue since it serves commercial traffic exiting Jennie Lee moving to 25th Street. Cramer replied he did not. Cramer stated a tower zone is located on the northern portion of the Andrews Well Drilling as well as the PT zone. Dixon stated all the previous developments in the PT zone were done in one phase. Are there provisions for phasing in the PT zone? Cramer responded it can be phased and the site plan must illustrate the phasing. Staff has asked that each phase meet the standards of the zone with the exception of the 30,000 square foot minimum. Polson asked staff to enumerate the uses allowed in the PT zone. Cramer confirmed uses not illustrated on the site plan will need to be the subject of a public hearing. The land use change is being requested for a restaurant, a mixed use retail center, and a specialty grocery. Cordova remembered phasing earlier PT applications and there were problems but, in those applications, the 30,000 square foot minimum was not met in the first phase.

Wimborne closed the public hearing.

Dixon stated Lowe's was the only case in which the adjacent street was redesigned to keep commercial traffic from the residential neighborhood. Lowe's is a much deeper development and runs along two blocks of June Avenue. In addition, he does not know if any studies have been undertaken to see how effective the barrier has been. He wondered if it was possible to have a barrier which is only one-half block in length on Jeppson Avenue. However, the residents need to understand it may prevent them from entering their neighborhood at Jeppson. The redesign of Edgemont Elementary School may lessen traffic impacts on Azalea Drive. Cramer clarified there was a traffic study for Lowe's and a traffic light at June when Loew's was proposed. Cordova explained the entrance from Lowe's to June Avenue was a compromise. Wimborne pointed out the traffic from this development should be much less and of a different nature than the traffic from Lowe's. Whittier noted Lowe's has two traffic signals. He is concerned about the impact on this neighborhood since there are no signals to move traffic to the west on 17th Street. The zoning ordinance has no numbers to assist with measuring the impact to the neighborhood.

Cordova suggested Jeppson be posted with a "No trucks" sign. When he lived in the neighborhood, he had difficulty exiting onto 17th Street. Cosgrove is concerned about an increase of traffic on Jeppson and 17th Street, proximity to Edgemont Elementary School, and the inability to turn left on 17th Street.

Polson is also concerned about traffic; however, if the city engineer has reviewed the study and does not recommend additional changes, she is not comfortable second guessing him. She feels the project meets the criteria of the PT zone. While she agrees with amber lighting, the ordinance allows white light. The ordinance needs to be changed if we wish to have amber lighting. Swaney does not believe we can ask the developer to relieve existing traffic issues. We should address the fence, landscaping, and other smaller issues to assist the neighbors. Dixon noted the Jeppson access is aimed at the backyards of the condominiums. Dixon believes the 17th

Street drive should be modified to add a left hand lane in the drive. He also believes an eight foot fence is needed. Cordova noted the vacant area on the southwest corner will not change with this development. He also reminded the Commission this site plan has been reviewed the by the city staff prior to commission review. Whittier did not feel as if the Commission has enough information from the traffic study about the effects on the neighborhood and the elementary school which is close to this site. Polson asked for clarification on the design of Edgemont Elementary. The new design eliminates street drop-off and separates parent drop-off, bus drop-off, and student traffic. Parking will no longer back into the street.

Since this area is on an arterial street and a portion is presently zoned PT-2, **Commissioner Polson moved to recommend to the Mayor and Council approval of the rezone from R-1 to PT-2 for Juniper Hills Plaza. The motion was seconded by Cordova and passed unanimously.**

Dixon did not have knowledge of LED lighting and he asked the Commissioners for their opinions about the lighting. Wimborne thought the issue of perception of safety was important but she would defer to staff recommendations. Cordova agreed with the issue of perception of safety and will go along with the developer. Dixon stated he did not mind the church lights shining onto his home when he lived on Azalea Drive. Swaney was impressed with dark sky light consideration of the developer. Whittier also liked the idea of safety with dark-sky lights. Dixon felt whiter lights may assist with deterring teenagers gathering on site. Cramer clarified he asked Hodder to explain how LED lighting could be changed to amber. Hodder did not make a recommendation.

After discussing the masonry wall at the access drive to Jeppson Avenue, Dixon clarified resolving the discrepancies between the site plan and landscape plan can be handled by staff prior to Council review. Wimborne explained the lighting plan will be approved as submitted by the applicant. Wimborne clarified the commission wishes to ask the city engineer to review the traffic study to see if any impact can be minimized.

Commissioner Dixon moved to recommend to the Mayor and Council approval of the land use change in the PT-2 zone with the following conditions: in addition to retaining the landscaping, a masonry wall be constructed along the southern property line of the driveway onto Jeppson Avenue; as a part of Phase 1, an opaque fence, which is eight feet in height and not chain link, be built along the entire property line contiguous to the homes and church; additional evergreen trees be planted in the storm water retention area; pedestrian cross-walks be painted in the parking area; differences between the site plan and landscape plan be resolved prior to consider by City Council; and the city traffic engineer, after reviewing the traffic study again, provide any additional recommendations to the Council to minimize any traffic impacts on the adjacent neighborhood. Dixon stated the purpose of the masonry wall, the opaque fence, and additional landscaping is to buffer the

homes from this development. **The motion was seconded by Morrison, and it passed with only Commissioner Cosgrove voting no.** Cosgrove is opposed to the additional traffic burden on the neighborhood and the proximity of this development to the elementary school.

Dixon moved to recommend to the Mayor and Council approval of the final plat entitled Juniper Hills Plaza with the recommendation a right-hand turning lane be added to 17th Street at the access drive onto 17th Street; the access drive onto 17th Street be moved east at least eight feet; the 17th Street driveway be widened to include two exiting lanes, one of which is a left hand turn, and one entry lane; and a cross-access agreement be recorded against the plat. Cordova seconded the motion and it passed with Cosgrove opposing. Again she opposed the motion due to the impact of traffic in the neighborhood and the elementary school. She would like to eliminate access to Jeppson Avenue. Cramer affirmed future staff reports will include the entire traffic study.

Rezoning Request from RSC-1 to R-3A with a PUD Overlay, Planned Unit Development, and Final Plat: Parkwood Addition, Division No. 6. Cramer reviewed the staff report and accompanying slides, a part of the record. Cramer explained a portion of the parcel included within this PUD was not included in the legal description for this rezoning request. The missed portion will be advertised and considered at the February meeting.

Cramer further explained the 1.3 acres being considered for rezoning tonight is included within Lot 3, Block 1 Parkwood Addition, Division No. 6. The developer is asking the entire Lot 3 of Division No. 6 be considered the PUD. Lot 3 is 2.8 acres. This includes the PUD originally considered as Lot 3, Block 2, Fenway Park, Division No. 1, approved in January, 2012. It has been built. The developer is asking, that as one PUD, the common area and landscaped area be based on the 2.8 acres being reviewed this evening.

Cramer said the rezoning request was consistent with the comprehensive plan. When the carwash parcel was sold and developed, Lot 1, Block 1. Parkway Addition was not replatted. This plat corrects that subdivision violation.

Cramer explained the corrections which had been made to the proposed PUD site plan since the staff report was written. He also showed the Commission where the pathway to provide connection to the common areas in the PUD will be located. Staff requested the Commission to consider whether the area between the existing townhouses and the proposed townhouses being built on a north-south axis should be considered to be common recreational open space. Staff did not count that area as common since it is in the setbacks but the applicant will be asking for it to be considered. If the area located between the north-south townhouses is included, the common area standards will be met. Cramer also explained a portion of the parking lot in Fenway Park was never removed and replaced with landscaping as shown in the January, 2012, plan.

Whittier asked if the playground area is being moved from the southeast corner of the PUD to the northeast corner of the site. Dixon pointed moving the area will eliminate the issue with adjacency to John Adams Parkway. Whittier noted it will also mean children will be crossing parking lots.

Morrison asked why the townhouse in the southeast corner of the existing PUD approved in January, 2012, was flipped and now faces John Adams Parkway. Cramer explained a Council member requested the change to reflect the development pattern across John Adams Parkway and the City Council approved the change.

Wimborne opened the public hearing.

Blake Jolley, Harper-Leavitt Engineering, 985 North Capital Avenue, Idaho Falls. Mr. Jolley represents Parkwood Partners, LLC, owners of the development, Lance Morrison and Dennis Hourany. The developers of this development did the development in Lakewood Aspens Subdivision on 12th Street. Now that Lakewood is complete, they are not satisfied with the closeness of the walkways to the townhouses and wish to separate the walkways from the townhouses. They would like a five to six foot landscaped area between the sidewalk and entrance ways. One building in the central portion of the site does not reflect this pattern. This site has about 38% landscaping and this amount includes all of the green area.

Jolley clarified the white line shown on the aerial photos is curbing, not fencing. In response to Dixon, Jolley clarified there will be a six foot fence along the east property line to buffer this project from the car wash and Smith's. The developers will add landscaping adjacent to the fence.

Jolley explained he was not involved in the design of the PUD on Fenway Park, Division No. 1. When he talked to Magee about the definition of common space, she gave Jolley the slide which defined the common space on Lot 3, Fenway Park, the one presented in the slides this evening. The common area originally proposed as a playground in the southeast portion of the site will be about 6,670 square feet of play area, will have a six foot fence on the east property line, and a three foot fence adjacent to the roadway. In addition, there is play area south of the proposed fourplex adjacent to John Adams Parkway which can be used without crossing the parking area. The other major play area is proposed on the northeast corner of the site and includes a hardscape area for basketball as well as a tot lot. It does remove everyone from John Adams, although it is farther from the townhomes.

As to the central area being proposed as common space, it is located between the existing and proposed four-plexes. Jolley noted it was counted before to create a pathway to the common area. It stills creates a pathway to the southeast and to the play area. This area is about 25 feet in width including the walkway. The developers are proposing grilling stations in this area for

the occupants. Jolley stated not all the setbacks were being counted as common area, only those with sufficient width to be useable. He also explained the buildings were located on the west of the site to remove the residences from the noise of the carwash fan. Polson clarified the path area being discussed was not in a setback in the January, 2012, plan.

Whittier asked if the parking area could be moved to the east to allow a larger play area closer to the residences. Is there an access issue? Jolley explained the developers did try other locations but the distance from the access points is an issue. The original plan had been a central play area but it did not work with the existing accesses and setbacks.

Cosgrove asked if children can move easily out of the back of the homes to the grill areas. Jolley affirmed it was possible.

The public hearing was closed.

Polson clarified the former pathway considered as common area previously is now in a setback. If it is not counted, does the developer meet the requirements for twenty percent common area? Cramer explained they will be about 1,200 to 1,300 square feet short.

Swaney discussed enforcement of the commission recommendations. There is a problem when a developer has not complied with the requirements for a Certificate of Occupancy on an existing development. A decision on this request should be deferred until the existing portion of this proposal has received Certificates of Occupancy. Polson agreed when this development is being tied into the former development. If they were two separate developments, it is different. In addition, some commissioners may not feel the fifteen foot setback is not part of the common space. Cosgrove agrees in principal with Commissioner Swaney but she is happy to see forward motion on this site.

Morrison believes the site is too dense for this area. One less building makes this site more useable. Cordova noted the densities are permitted in this zone. Wimborne noted such densities are allowed if all the other requirements are met. She is disappointed since the play area and common areas have been changed dramatically.

Commissioner Morrison moved to recommend denial to the Mayor and Council of the request to rezone 1.3 acres from RSC-1 to R-3A with a PUD overlay, the Planned Unit Development, and the final plat entitled Parkwood Addition, Division No. 6. Polson seconded the motion, and it passed unanimously. Polson clarified the denial was based on the failure to comply with the site plan on the first phase of this development. Swaney stated occupancy should not be allowed until Certificates of Occupancy have been issued for the townhouses.

BUSINESS:

Final Plat: St. Clair Estates, Division No. 13, 1st Amended. Cramer reviewed the staff report, a part of the record. A portion of the lot has been sold, and this final plat is being completed to comply with the subdivision ordinance. Staff recommends approval since the plat complies with the ordinances. **Commissioner Swaney moved to recommend approval of the final plat entitled St. Clair Estates Addition, Division No. 13, 1st Amended, to the Mayor and Council. Morrison seconded the motion, and it was approved unanimously.**

Final Plat: Bison Subdivision. Cramer reviewed the staff report, a part of the record. Again a portion of a lot was sold, and this final plat is being completed to comply with the subdivision ordinance. Staff recommends approval since the plat complies with the ordinances. Staff will discuss the wording on the plat with the city surveyor. **Commissioner Polson moved to recommend approval of the final plat entitled Bison Subdivision. The motion was seconded by Whittier and passed unanimously.**

Miscellaneous. Cramer reminded the commission there was a work session on Friday, January 11, at 7:00 a.m. at the Hotel on the Falls.

The meeting adjourned at 10:25 p.m.

Renee R. Magee
Recording Secretary